

# Exhibit D

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

Central States, Southeast and Southwest Areas  
Pension Fund, and Howard McDougall, Trustee,  
(Plaintiffs),

CASE NUMBER:

v.

**08 C 1138**

Auto Rail Services of Maryland, Inc., a  
Maryland corporation, et al., (Defendants).

ASSIGNED JUDGE:

**JUDGE DARRAH  
MAGISTRATE JUDGE VALDEZ**

DESIGNATED  
MAGISTRATE JUDGE:

TO: (Name and address of Defendant)

Auto Rail Services of Wilmington, Inc.  
c/o The Corporation Trust Company - Registered Agent  
Corporation Trust Center  
1209 Orange St.  
Wilmington DE 19801

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Charles H. Lee, Esq.  
Central States Law Department  
9377 W. Higgins Rd., 10th Flr.  
Rosemont, IL 60018

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**Michael W. Dobbins, Clerk**

Terriange Arnold

(By) DEPUTY CLERK

**February 25, 2008**

Date



Case 1:08-cv-01138 Document 13 Filed 03/19/2008 Page 2 of 2

Case 1:07-cv-99999 Document 1667-10 Filed 02/25/2008 Page 2 of 2

AO 440 (Rev. 05/00) Summons in a Civil Action

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup> NAME OF SERVER (PRINT) Daniel Newcarb	DATE 2/27/08 at 1:30 PM TITLE Process Server
--	---

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where served: \_\_\_\_\_

\_\_\_\_\_

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: \_\_\_\_\_

Returned unexecuted: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Other (specify): Service on Auto Rail Services of Wilmington, Inc., was effectuated by serving

Scott LaScala, Managing Agent duly authorized to accept service. Service was made at Corporation

Trust Co., 1209 Orange St., Wilmington, DE 19801.

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL
	\$45.00	\$45.00

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 2/28/08  
Date

*[Signature]*  
Signature of Server

DELAWARE ATTORNEY SERVICES  
2000 Pennsylvania Avenue, Suite 207  
Wilmington, DE 19806 (302) 429-0657

*[Address]*  
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.